

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

JILL LYNN CAMP,

Plaintiff,

v.

**CAPTIAL ACCOUNTS, LLC,
a corporation; EQUIFAX
INFORMATION SERVICES, LLC,
a corporation,**

Defendants.

Civil Action No.:CV-07-AR-1281-S

ANSWER AND AFFIRMATIVE DEFENSES OF CAPITAL ACCOUNTS, LLC.

Jurisdiction and Venue

AND NOW, comes Defendant, Capital Accounts, LLC (“Capital”) by and through its counsel, Carolee Berasi, Esquire, and files the following Answer and Affirmative Defenses to Plaintiff’s Complaint in the above-captioned matter:

1.-3. Capital admits the averments contained in Paragraphs 1 through 3 of the Complaint regarding jurisdiction, venue and diversity. Capital denies that it is liable to Plaintiff for violation of any federal or state law.

4.-6. Admitted.

Factual Allegations.

7. Admitted.

8.-32. Denied. Strict proof is demanded at the time of trial.

FIRST CLAIM FOR RELIEF
Violating the Fair Credit Reporting Act

33. The responses to Paragraphs 1 through 32, inclusive, of this Answer are incorporated herein, by reference thereto, as fully as though the same were set forth at length herein.

34.-35. The averments contained in Paragraph 34 and 35 of the Complaint constitute conclusions of law to which no response is required. To the extent that a response is required, Capital denies such averments but admits that it regularly and in the course of business, furnishes information to one or more CRA's about Capital's transactions or experiences with consumers.

36.-44. Denied. Strict proof is demanded at the time of trial.

SECOND CLAIM FOR RELIEF
State Law Claims

45. The responses to Paragraphs 1 through 44, inclusive, of this Answer are incorporated herein, by reference thereto, as fully as though the same were set forth at length herein.

46.-53. Denied. Strict proof is demanded at the time of trial.

THIRD CLAIM FOR RELIEF
Violations of the Fair Credit Reporting Act

54. The responses to Paragraphs 1 through 53, inclusive, of this Answer are incorporated herein, by reference thereto, as fully as though the same were set forth at length herein.

55.-56. Denied. Strict proof is demanded at the time of trial.

RELIEF SOUGHT

57.-58. Denied. Strict proof is demanded at the time of trial.

AFFIRMATIVE DEFENSES

- 59. Plaintiff has failed to state a cause of action against Capital upon which relief can be granted.
- 60. Plaintiff's claims are barred, in whole or in part, by 15 U.S.C. 1681h(e).
- 61. Plaintiff's claims are barred, in whole or in part by 15 U.S.C. 1692k(c).
- 62. Plaintiff's damages, if any, were not caused by Capital, but by another person or entity.
- 63. Capital maintained reasonable procedures designed to avoid errors in reporting information to consumer reporting agencies.
- 64. Capital has acted in good faith, without malice or intent to cause injury to Plaintiff and without actual knowledge of Plaintiff's bankruptcy filing.

WHEREFORE, Capital prays this Honorable Court to:

- A. Dismiss the instant action as to Capital with prejudice; and
- B. Enter an award in favor of Capital and against Plaintiff for costs and expenses of litigation, including reasonable attorney's fees.

Respectfully Submitted,

s/Carolee Berasi
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JILL LYNN CAMP,)	
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Plaintiff,)	Civil Action No.: CV-07-AR-1281-S
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v.)	
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CAPTIAL ACCOUNTS, LLC,)	
a corporation; EQUIFAX)	
INFORMATION SERVICES, LLC,)	
a corporation,)	
)	
Defendants.)	

CERTIFICATE OF SERVICE

I, Carolee Berasi, do hereby certify that on August 9, 2007, I filed the foregoing Answer and Affirmative Defenses of Capital Accounts, LLC, with the Clerk of the Court using the CM/ECF system which will electronically send notification of such filing to:

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s/ Carolee Berasi
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